



**CITY OF DRAIN
REGULAR COUNCIL MEETING
MONDAY, MAY 13, 2024
CIVIC CENTER – 6:00 PM**

AGENDA

- 1. CALL TO ORDER – PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. WELCOME REMARKS**
- 4. REPORTS, COMMITTEE & COMMISSIONS**
 - a. Sheriff's Office
 - b. Library
 - c. Civic Center Advisory Committee
 - d. N. Douglas Fair Board
 - e. Mr. & Mrs. Balkenhol – Emergency Preparedness
- 5. PUBLIC COMMENT (A time of three minutes per citizen shall apply.)**
- 6. CONSENT AGENDA**
 - a. Minutes – Approval of April 8, 2024 City Council Minutes
 - b. Approval of payment of the Bills, check numbers 359, 35169 through 35227 in the total amount of \$165,599.09. Approval of payment of the payroll, check numbers 10346, 4152401 through 4152409 and 4302401 through 4302409 in the total amount of \$37,890.09.
- 7. PUBLIC HEARING**
 - a) State Revenue Sharing
 - b) Budget Hearing
- 8. COUNCIL BUSINESS**
 - a) RESOLUTION NO. R2324 -14 A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND CATEGORIZING PROPERTY TAX.
 - b) RESOLUTION NO. R2324 -15 A RESOLUTION CERTIFYING FOR THE CITY OF DRAIN'S ELIGIBILITY TO RECEIVE STATE REVENUE SHARING FUNDS
 - c) RESOLUTION NO. R2324 -16 A RESOLUTION DECLARING THE CITY OF DRAIN'S ELECTION TO RECEIVE STATE REVENUES
 - d) RESOLUTION NO. R2324 -17 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE DOUGLAS COUNTY SHERIFF'S OFFICE SIXTH EXTENSION OF THE INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES
 - e) RESOLUTION NO. R2324 -18 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY OF DRAIN AND CCD BUSINESS DEVELOPMENT CORPORATION (CCD)

Members of the audience who wish to address the Council will be invited to do so. Speakers must use the microphone stating with their name and address prior to addressing the Council.

- f) ORDINANCE NO. 445 - AN ORDINANCE AMENDING THE DRAIN PUBLIC IMPROVEMENT CODE TO PROVIDE A SEWER CLEANING POLICY – First Reading by Title Only
- g) Resolution R2324-19 – A RESOLUTION OF THE CITY OF DRAIN ADOPTING THE DOUGLAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN
- h) Resolution R2324-20 - A RESOLUTION LIMITING LIABILITY FOR THE CITY OF DRAIN AND OTHER PARTIES FROM PRIVATE CLAIMS RESULTING FROM USE OF TRAILS IN A PUBLIC EASEMENT OR UNIMPROVED RIGHT-OF-WAY UNDER ORD 105.668

9. DISCUSSION ITEMS/CITY COUNCIL COMMENT

10. INFORMATIONAL ITEMS

- a. Financial Update – Q3 2024
- b. Staff Update -

11. ADJOURNMENT

TIME _____

Join Zoom Meeting

Meeting ID: 871 4142 3646
Passcode: 176897

4. REPORTS, COMMITTEE & COMMISSIONS

- a) Sheriff's Office

- b) Library

- c) Civic Center Advisory Committee

- d) N. Douglas Fair Board

- e) Mr. & Mrs. Balkenhol – Emergency Preparedness



**DOUGLAS COUNTY
SHERIFF'S OFFICE**

1036 SE DOUGLAS AVE
ROSEBURG, OR 97470
(541) 440-4450

CONTRACT CITY STATISTICS REPORT	
DATE FROM 04/01/2024	DATE TO 04/30/2024

	Arrests	Criminal Cases	Non Criminal Cases	Citations	Warnings	Fis	Civil Papers	Calls For Service	Traffic Stops	Subject Stops	Security Checks	Building Checks	Accidents	Drug Cases	DUIs	Warrant Arrests	Reports Taken	Reports Written
CANYONVILLE CONTRACT	11	16	1	9	9	2	19	0	0	0	0	0	0	0	2	1	20	18
COW CREEK CONTRACT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DRAIN CONTRACT	4	4	0	3	3	1	14	0	0	0	0	0	0	0	0	0	5	6
GLENDALE CONTRACT	11	14	3	8	3	1	13	0	0	0	0	0	1	3	0	7	19	18
RIDDLE CONTRACT	5	8	4	1	2	0	48	0	0	0	0	0	0	0	0	2	16	17
YONCALLA CONTRACT	7	3	2	2	2	11	5	0	0	0	0	0	0	0	0	3	12	5
Total	38	45	10	23	19	15	99	0	0	0	0	0	1	3	2	13	72	64

5. PUBLIC COMMENT

6. CONSENT AGENDA

Consent Agenda:

- a. Minutes – Approval of April 8, 2024 City Council Minutes
- b. Approval of payment of the Bills, check numbers 359, 35169 through 35227 in the total amount of \$165,599.09. Approval of payment of the payroll, check numbers 10346, 4152401 through 4152409 and 4302401 through 4302409 in the total amount of \$37,890.09.

MOVE _____
SECOND _____

Unanimous _____
Opposed _____



**DRAIN CITY COUNCIL
MEETING MINUTES
APRIL 8, 2024**

CALL TO ORDER

Councilor Decker called the meeting to order at 6:00 p.m. in the Meeting Room of the Drain Civic Center. Councilor VanPelt led the Pledge of Allegiance.

ROLL CALL

City Recorder Penny Jenkins called the roll. The following were

PRESENT IN THE COUNCIL CHAMBERS: Councilor Vaughan, Councilor VanPelt, Councilor Decker, Councilor Lymath

PRESENT VIA ZOOM: None

COUNCIL ABSENT: Mayor Sparhawk (excused)

STAFF PRESENT IN THE COUNCIL CHAMBERS: City Administrator Jeni Stevens, City Recorder Penny Jenkins, Kaity Hardwick

STAFF PRESENT VIA ZOOM: None

VISITORS PRESENT IN THE COUNCIL CHAMBERS: Chris Hunter, Loree Pryce, Ellie Hollamon, Mistie Savage, Rusty Savage, Valarie Johns, Katrina Johns, Candy Vickery, Miriam Sisson, Jim Beard, Brian Burke

VISITORS PRESENT VIA ZOOM: None

WELCOME REMARKS

- A. Councilor Decker welcomed everyone to the Council meeting.

REPORTS, COMMITTEES AND COMMISSIONS

- A. Sheriff's Office Monthly Report – Deputy Taylor gave the monthly statistics report for March 1 – 31, 2024. There were 4 arrests, 5 criminal cases, 6 citations, 2 warnings, 5 field investigations, 17 civil papers served, 5 building checks, 1 DUII, 1 warrant arrest, 8 reports taken and 5 reports written.
- B. Library – Library Director Miriam Sisson gave the updates for the Library (handouts are included with these minutes):
- Story time is on Tuesdays at 11:00 a.m. The Library has had continuously increasing story time participation. The Friends of the Library received an early childhood grant. The Library is looking at how they might work on the space.
 - The Library has programs for all ages.
 - The Library is closed the week of the 23rd through the 27th of April because the staff is going to the Oregon Library Association for training.
 - A world-renowned singer, Diane Lou Azo will be performing April 21 at 3:00 p.m. at the Civic Center. The event is free but the suggested donation is \$5. The performer is related to one of the local authors, Bob Crites, and he will be selling his own books to benefit the Dolly Parton Imagination Library. All proceeds from the event will be used to benefit the Dolly Parton Imagination Library.
 - There will be a flea market on Saturday, May 18 that is sponsored by the Friends of the Mildred Whipple Library. It will be at the Civic Center. Proceeds will benefit the Dolly Parton Imagination Library. CA Stevens asked if this would replace the yearly city wide yard sale—it will not. Councilor VanPelt verified that vendors could rent a table for \$15 and Sisson confirmed that there are still some tables available.
- C. Civic Center Advisory Committee – Misty Savage read from and submitted a report that is included with these minutes.
- D. North Douglas Fair Board – Jim Beard gave an update:
- The next meeting will be on April 15, 2024 at 6:00 p.m. at the Drain Church of Christ Annex.
 - They have someone putting together a car show.
 - They are still looking for volunteers to set up and tear down the event.

PUBLIC COMMENT

None

BUSINESS ITEMS

CONSENT AGENDA

A. Minutes – Approval of March 11, 2024 City Council Minutes

B. Approval of payment of the Bills, check numbers 357, 358 and 35123 through 35168 in the total amount of \$191,125.10. Approval of payment of the Payroll, check numbers 3152401 through 3152410 and 3312301 through 3312310 in the total amount of \$37,758.47.

Councilor Decker entertained a motion.

IT WAS MOVED BY COUNCILOR VANPELT AND SECONDED BY COUNCILOR VAUGHAN TO APPROVE THE CONSENT AGENDA ITEMS AS STATED.

Councilor Decker called the vote.

The vote on the motion was as follows:

VOTE	Councilor Vaughan	Councilor VanPelt	Councilor Decker	Councilor Lymath	Mayor Sparhawk
AYES	X	X	X	X	
NAYS					
ABSTAIN					

COUNCIL BUSINESS

A. Loree Pryce, PE – Applegate Project

Refer to Memorandum from Loree Pryce, PE – Civil Engineer, Subject: Applegate Avenue Paving Issues.

- The City was awarded a 2024 Small Cities Allotment grant for \$250,000 from Oregon Depart of Transportation.
- Loree Pryce had core samples from seven or eight locations from some of the worst spots in the street. She discussed the condition of the street based on the core samples. Pryce said that some of the samples had black clay—which is the worse substrate.
- Pryce said that reconstructing the street would start at \$440,000, which is above the grant received. She said the benefit is that the City would have a fully reconstructed street.
- Pryce met with the mill and asked if working on the street at night would affect the mill. They said that they work 24 hours, seven days a week.

- Pryce said that if the City chooses to go the other route of digging out the bad areas, mill the rest and pave over that, she can't guarantee that the road won't have some form of cracking.
- Pryce said that CA Stevens wanted the decision presented to Council regarding reconstructing the entire street or the other route of digging out the bad areas, milling and paving. Councilor VanPelt clarified that the cost would be about \$190,000 above the grant amount for option one. Councilor VanPelt asked how much of the grant option two would use. Pryce said it would take the entire grant. CA Stevens said that Harold Burris, Public Works Foreman, would prefer to go with option two. Councilor VanPelt asked about the timeframe. Pryce said that her goal is to have the construction done by the end of summer. Councilor Decker reviewed both options and the costs of both with Council. Councilor Vaughan said that he prefers the lower cost. Councilor Lymath asked what is done when you find black clay. Pryce said that the geotechnical engineering will help her with that detail. Councilor Decker asked how long the construction would take. Pryce said probably about a month and a half. Councilor Decker also asked if during the construction with option two, could the road be open part way. Pryce said that it could.

Councilor Decker entertained a motion.

IT WAS MOVED BY COUNCILOR VAUGHAN AND SECONDED BY COUNCILOR VANPELT TO MOVE FORWARD WITH OPTION TWO OF THE CONSTRUCTION.

Councilor Decker called the vote.

The vote on the motion was as follows:

VOTE	Councilor Vaughan	Councilor VanPelt	Councilor Decker	Councilor Lymath	Mayor Sparhawk
AYES	X	X	X	X	
NAYS					
ABSTAIN					

B. New Limited Duration Position – Administrative Aide/Assistant Recorder

Refer to Staff Report, Subject: New Limited Duration Position – Administrative Aide/Assistant Recorder. CA Stevens read the staff report. Councilor Decker asked if the cost was for the entire two years. CA Stevens said that it would be cost per year. Councilor Decker confirmed that the potential employee would understand that it would be a limited duration position. Councilor VanPelt said that it sounds like the biggest reason for this is that there is a lot of grant money that the City staff doesn't have the capacity to apply for. Discussion was had regarding applicants and being locked into the 24 months of employment and what if the employee doesn't work out. CA Stevens discussed writing grants. Councilor VanPelt asked if this person

would just be a grant writer or have other duties. CA Stevens said both. Discussion was had regarding the lack of time the other office staff has to write grants.

Councilor Decker entertained a motion.

IT WAS MOVED BY COUNCILOR VAUGHAN AND SECONDED BY COUNCILOR LYMATH TO APPROVE THE LIMITED DURATION POSITION FOR ADMINISTRATIVE AIDE/ASSISTANT RECORDER.

Councilor Decker called the vote.

The vote on the motion was as follows:

VOTE	Councilor Vaughan	Councilor VanPelt	Councilor Decker	Councilor Lymath	Mayor Sparhawk
AYES	X	X	X	X	
NAYS					
ABSTAIN					

C. Donation Request – Yoncalla Rodeo

Refer to Staff Report, Subject: Yoncalla Rodeo Donation Request. CA Stevens read the staff report. Councilor Decker asked how much the City donated last year. CA Stevens said that it was the prior year and it was \$2,000. CA Stevens said that the City has \$500 left in the budget for donations this fiscal year.

Councilor Decker entertained a motion.

IT WAS MOVED BY COUNCILOR VANPELT AND SECONDED BY COUNCILOR VAUGHAN TO APPROVE A DONATION TO THE YONCALLA RODEO FOR \$500.

Councilor Decker called the vote.

The vote on the motion was as follows:

VOTE	Councilor Vaughan	Councilor VanPelt	Councilor Decker	Councilor Lymath	Mayor Sparhawk
AYES	X	X	X	X	
NAYS					
ABSTAIN					

D. Sutherlin Sanitary Cardboard Service Request

Refer to Staff Report, Subject: Sutherlin Sanitary – cardboard recycling. CA Stevens read the staff report. CA Stevens said that the City has had a lot of customers wanting this service.

Councilor VanPelt confirmed that if Council approves this, it just makes it available to customers that want it.

Councilor Decker entertained a motion.

IT WAS MOVED BY COUNCILOR VAUGHAN AND SECONDED BY COUNCILOR VANPELT TO APPROVE THE SUTHERLIN SANITARY CARDBOARD RECYCLING.

Councilor Decker called the vote.

The vote on the motion was as follows:

VOTE	Councilor Vaughan	Councilor VanPelt	Councilor Decker	Councilor Lymath	Mayor Sparhawk
AYES	X	X	X	X	
NAYS					
ABSTAIN					

E. ODOT Stop Sign – Follow Up

Refer to Staff Report, Subject: ODOT – Stop Sign. CA Stevens read the staff report. Councilor Lymath said he wants a four-way stop. Councilor Vaughan said that he had input from people saying that they would prefer a four-way stop. Councilor Decker asked Chris Hunter of ODOT if he had any questions. Hunter said that ODOT is willing to go whichever way the Council wants to go. He said the trial period could vary. Councilor Decker said that safety is her concern. Councilor VanPelt asked how long they could push the change back. Hunter said that ODOT said that they can't leave it the way it is. Councilor VanPelt asked about crosswalks. Hunter said that would be designed in. Councilor Decker asked about downtown parking. Hunter said that is a possibility. Discussion was had regarding design and a four-way stop. Councilor Lymath asked if Council makes the decision, will it get changed by the State. An ODOT representative from the audience said "no," but it still has to have formal approval and signed off on by the State.

Councilor Decker entertained a motion.

IT WAS MOVED BY COUNCILOR VAUGHAN AND SECONDED BY COUNCILOR LYMATH TO APPROVE THE FOUR-WAY STOP.

Councilor Decker called the vote.

The vote on the motion was as follows:

VOTE	Councilor Vaughan	Councilor VanPelt	Councilor Decker	Councilor Lymath	Mayor Sparhawk
AYES	X	X	X	X	
NAYS					
ABSTAIN					

F. Resolution R2324-13 – A RESOLUTION AUTHORIZING THE INCREASE OF WATER AND WASTEWATER RATES.

Refer to Staff Report, Subject: Water and Sewer (Wastewater) Rates – R0809-01. CA Stevens read the staff report. CA Stevens read the resolution. Councilor VanPelt asked if the average person uses more than 600 c.f. Penny Jenkins said that she would say that it is probably 50/50 on customers staying under or going over. Jenkins said that it depends on if it is during the summer. Discussion was had regarding the effects of the increase. Councilor Vaughan asked if it only applies to residential customers. CA Stevens said it applied to all water customers. Councilor Decker asked CA Stevens if she knows why the resolution hasn't been followed. CA Stevens said that there have been increases, but they never referenced the resolution.

Councilor Decker entertained a motion.

IT WAS MOVED BY COUNCILOR VANPELT AND SECONDED BY COUNCILOR VAUGHAN FOR THE WATER AND SEWER (WASTEWATER) INCREASE PER THE GUIDELINES OF RESOLUTION R2324-13.

Councilor Decker called the vote.

The vote on the motion was as follows:

VOTE	Councilor Vaughan	Councilor VanPelt	Councilor Decker	Councilor Lymath	Mayor Sparhawk
AYES	X	X	X	X	
NAYS					
ABSTAIN					

DISCUSSION ITEMS/CITY COUNCIL COMMENT

A. T-Mobile – Set Up Tent in City Parking Lot Next to Ray's

Refer to Staff Report, Subject: T-Mobile Request. CA Stevens reviewed the staff report. Councilor VanPelt asked if Council had any concern with that—does this open a door for other businesses to be allowed to do this. Discussion was had regarding allowing other businesses to do this and also to have them rent from Saturday Market. Miriam Sisson spoke and said that

the Library District contracted with T-Mobile for hot spots for check out. They don't work anywhere in Drain.

B. Civic Center Committee – Recommendations

Refer to Staff Report, Subject: Civic Center Committee Recommendations. CA Stevens reviewed the staff report. Councilor Lymath asked why the building needs to be re-keyed and how many keys are out there. CA Stevens said that the present staff was not here when the keys were made. Councilor Decker asked if the City has had any issues. CA Stevens said that the City hasn't. Discussion was had regarding paying \$800 if the City hasn't had issues thus far. Councilor Vaughan said that he would rather hold off on the keys but go ahead with the ADA parking. CA Stevens said that the City has to do the ADA parking. Councilor VanPelt said that reading through the Civic Center Advisory Committee update he sees that one of the key areas is assisting in removing barriers to renting the Civic Center. Councilor VanPelt asked if this, the re-keying, assists in that area. CA Stevens said that removing one of the barriers is to put up a lockbox for organizations to pick up a key after hours. Councilor Vaughan said that the re-keying would help minimize the City's liability. Councilor VanPelt said that he thought that the Civic Center Advisory Committee had requested that the Civic Center be re-keyed. Katrina Johns spoke stating that the committee had requested re-keying as opposed to installing electronic locks.

INFORMATIONAL ITEMS

A. Park Project Presentation

Refer to Staff Report, Subject: Grants Recently Submitted for the Anna Drain Park Upgrade Project. CA Stevens read the staff report. Kaytie Hardwick presented a Powerpoint of the park upgrade plans. Discussion was had regarding the various aspects of the park improvements. Candy Vickery asked if the trees shown in the slide show are included in the budget and they are included.

ADJOURNMENT

There being no further business, Councilor Decker adjourned the regular meeting of the City Council at 7:08 p.m.

Jeni Stevens, City Administrator

Erin Sparhawk, Mayor

Report Criteria:

Report type: Invoice detail
Check.Voided = No

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Amount
04/24/2024	359	135	BONNEVILLE POWER ADMINISTRATI	63,974.00
04/01/2024	35169	666	Laborer's International Union	168.00
04/08/2024	35170	15	Advanced Control Systems LLC	687.00
04/08/2024	35171	42	ALSCO	.00
04/08/2024	35172	81	Auto Parts Inc.	20.99
04/08/2024	35172	81	Auto Parts Inc.	33.96
04/08/2024	35172	81	Auto Parts Inc.	15.97
04/08/2024	35173	213	Caselle Inc.	1,577.00
04/08/2024	35174	447	City of Drain	5,138.31
04/08/2024	35175	4476	Coastal	234.68
04/08/2024	35175	4476	Coastal	479.96
04/08/2024	35176	3436	Craig Wilson	800.00
04/08/2024	35177	414	Douglas Electric Cooperative	2,693.93
04/08/2024	35177	414	Douglas Electric Cooperative	35.45
04/08/2024	35177	414	Douglas Electric Cooperative	1,892.80
04/08/2024	35177	414	Douglas Electric Cooperative	43.60
04/08/2024	35178	417	Douglas Fast Net	420.61
04/08/2024	35179	3395	Douglas Fast Net	303.27
04/08/2024	35180	3396	Douglas Fast Net	302.00
04/08/2024	35181	5736	Douglas Fast Net (1310580)	112.99
04/08/2024	35182	444	Drain Saw Shop Inc	57.98
04/08/2024	35182	444	Drain Saw Shop Inc	729.99
04/08/2024	35182	444	Drain Saw Shop Inc	64.80
04/08/2024	35182	444	Drain Saw Shop Inc	28.99
04/08/2024	35182	444	Drain Saw Shop Inc	177.36
04/08/2024	35183	339	Eagle Valley Supply	21.90
04/08/2024	35183	339	Eagle Valley Supply	33.07
04/08/2024	35184	6956	Greg Payne Trucking & Construction	24,000.00
04/08/2024	35185	582	H.D. Fowler Company Inc	169.29
04/08/2024	35186	3436	Howard Bell	866.00
04/08/2024	35187	642	Jeremy McDaniel Auto Repair	835.78
04/08/2024	35188	1	Kim Metzger	275.88
04/08/2024	35189	849	OR Laborers-Employers Trust	5,256.00
04/08/2024	35190	852	OrCal Rubber & Supply	174.96
04/08/2024	35191	1005	Oregon Dept of Revenue	1,215.00
04/08/2024	35192	6896	River Design Group Inc	5,033.75
04/08/2024	35193	3355	Security Monster	8.00
04/08/2024	35194	1113	Sutherlin Sanitary Service LLC	59.80
04/08/2024	35195	456	The Dyer Partnership	80.00
04/08/2024	35195	456	The Dyer Partnership	2,646.00
04/08/2024	35196	5196	Tyree	960.19
04/08/2024	35197	4956	Umpqua Research Company	390.20
04/08/2024	35197	4956	Umpqua Research Company	84.00
04/08/2024	35197	4956	Umpqua Research Company	210.20
04/08/2024	35197	4956	Umpqua Research Company	210.20
04/08/2024	35198	6716	Umpqua Sheet Metal Inc	1,100.00
04/08/2024	35199	6836	University of Oregon Cashier	6,250.00
04/08/2024	35200	4716	Vision Metering LLC	500.00

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Amount
04/08/2024	35200	4716	Vision Metering LLC	500.00
04/08/2024	35201	1218	W. W. D. Corporation	366.75
04/09/2024	35202	6976	Kaiser Brake & Alignment Inc	2,099.88
04/11/2024	35203	1005	Oregon Dept of Revenue	4,919.02
04/12/2024	35204	6996	Robert Taylor	200.00
04/22/2024	35205	15	Advanced Control Systems LLC	687.00
04/22/2024	35206	18	AFLAC	.00
04/22/2024	35207	81	Auto Parts Inc.	13.98
04/22/2024	35207	81	Auto Parts Inc.	87.52
04/22/2024	35207	81	Auto Parts Inc.	13.99
04/22/2024	35207	81	Auto Parts Inc.	93.49
04/22/2024	35207	81	Auto Parts Inc.	28.47
04/22/2024	35208	120	Better Way Electric LLC	1,457.53
04/22/2024	35209	2	Candy Vickery	164.00
04/22/2024	35210	4336	Cole Resource Management Co LLC	68.94
04/22/2024	35210	4336	Cole Resource Management Co LLC	1,260.75
04/22/2024	35211	414	Douglas Electric Cooperative	35.54
04/22/2024	35212	444	Drain Saw Shop Inc	71.98
04/22/2024	35213	339	Eagle Valley Supply	29.99
04/22/2024	35213	339	Eagle Valley Supply	22.83
04/22/2024	35214	6616	Engineering Support Services LLC	.10-
04/22/2024	35214	6616	Engineering Support Services LLC	1,359.70
04/22/2024	35214	6616	Engineering Support Services LLC	1,020.00
04/22/2024	35215	519	First National Bank of Omaha	1,605.41
04/22/2024	35216	582	H.D. Fowler Company Inc	591.60
04/22/2024	35216	582	H.D. Fowler Company Inc	1,073.66
04/22/2024	35216	582	H.D. Fowler Company Inc	3,101.55
04/22/2024	35216	582	H.D. Fowler Company Inc	21.20
04/22/2024	35217	6216	IFA Nurseries Inc.	5,148.00
04/22/2024	35218	642	Jeremy McDaniel Auto Repair	292.93
04/22/2024	35219	7016	Kaitlyn Hardwick	435.50
04/22/2024	35220	675	Lane Council of Governments	335.47
04/22/2024	35221	1090	Local Government Law Group PC	1,457.00
04/22/2024	35222	768	QUADIENT FINANCE USA INC.	302.00
04/22/2024	35223	2455	RJM Equipment Sales Inc	1,030.00
04/22/2024	35224	6176	Systech Consulting LLC	2,525.25
04/22/2024	35225	456	The Dyer Partnership	2,040.00
04/22/2024	35226	4956	Umpqua Research Company	210.20
04/22/2024	35226	4956	Umpqua Research Company	84.00
04/22/2024	35226	4956	Umpqua Research Company	365.20
04/22/2024	35227	6656	Xerox Financial Services	105.00
Grand Totals:				<u>165,599.09</u>

Report Criteria:

Includes the following check types:

Manual, Payroll, Supplemental, Termination, Void

Includes unprinted checks

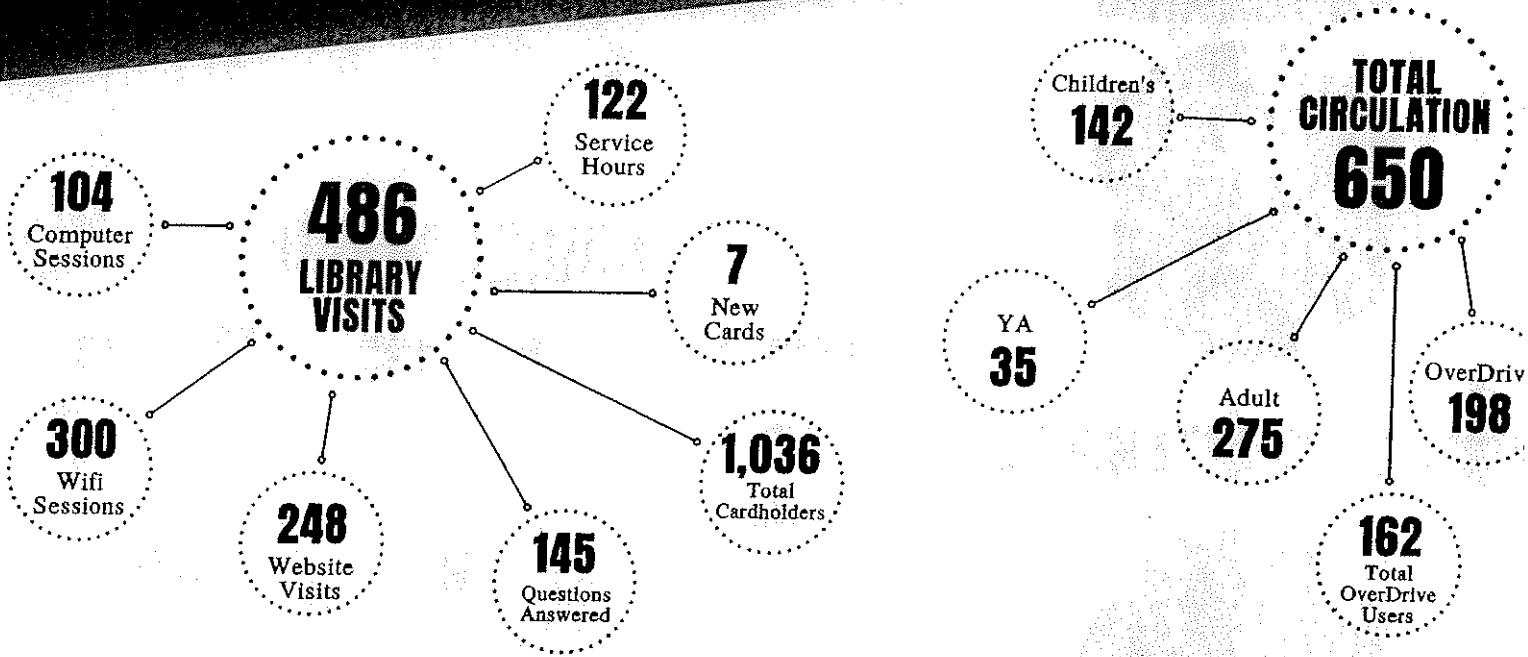
Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Payee ID	Description	GL Account	Amount	D
04/15/2024	PC	04/01/2024	10346	Drager, Leanne	480		01-0-110	1,198.54-	
04/15/2024	PC	04/15/2024	4152401	Burris, Harold	20		01-0-110	1,197.23-	D
04/15/2024	PC	04/15/2024	4152402	Bird, Daniel R.	370		01-0-110	1,639.24-	D
04/15/2024	PC	04/15/2024	4152403	Wilson, Danny L.	380		01-0-110	1,207.44-	D
04/15/2024	PC	04/15/2024	4152404	Nash, James A.	410		01-0-110	2,867.26-	D
04/15/2024	PC	04/15/2024	4152405	Jenkins, Penny	430		01-0-110	1,450.64-	D
04/15/2024	PC	04/15/2024	4152406	Stevens, Jeni K.	460		01-0-110	3,015.40-	D
04/15/2024	PC	04/15/2024	4152407	Sullivan, Melissa	470		01-0-110	1,110.52-	D
04/15/2024	PC	04/15/2024	4152408	Cushman, Joshua A.	500		01-0-110	1,262.97-	D
04/15/2024	PC	04/15/2024	4152409	Spurlock, Matthew R.	510		01-0-110	1,227.38-	D
04/30/2024	PC	04/30/2024	4302401	Burris, Harold	20		01-0-110	1,914.97-	D
04/30/2024	PC	04/30/2024	4302402	Bird, Daniel R.	370		01-0-110	3,021.27-	D
04/30/2024	PC	04/30/2024	4302403	Wilson, Danny L.	380		01-0-110	1,755.62-	D
04/30/2024	PC	04/30/2024	4302404	Nash, James A.	410		01-0-110	4,408.26-	D
04/30/2024	PC	04/30/2024	4302405	Jenkins, Penny	430		01-0-110	2,025.68-	D
04/30/2024	PC	04/30/2024	4302406	Stevens, Jeni K.	460		01-0-110	2,992.06-	D
04/30/2024	PC	04/30/2024	4302407	Sullivan, Melissa	470		01-0-110	2,143.88-	D
04/30/2024	PC	04/30/2024	4302408	Cushman, Joshua A.	500		01-0-110	1,840.08-	D
04/30/2024	PC	04/30/2024	4302409	Spurlock, Matthew R.	510		01-0-110	1,611.65-	D
Grand Totals:								<u>37,890.09-</u>	
									<u>19</u>



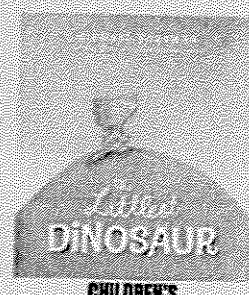
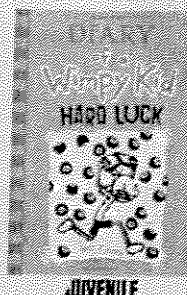
North Douglas Library District

MARCH 2024 STATISTICS

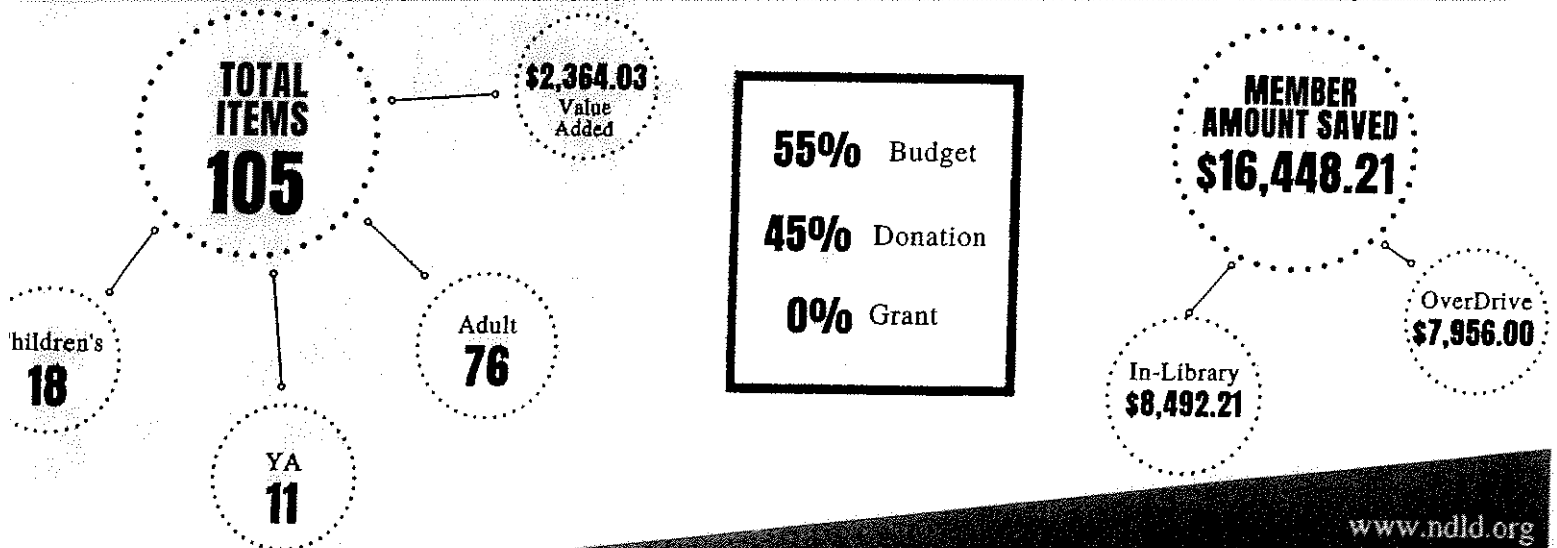
Mildred Whipple Library



MOST POPULAR



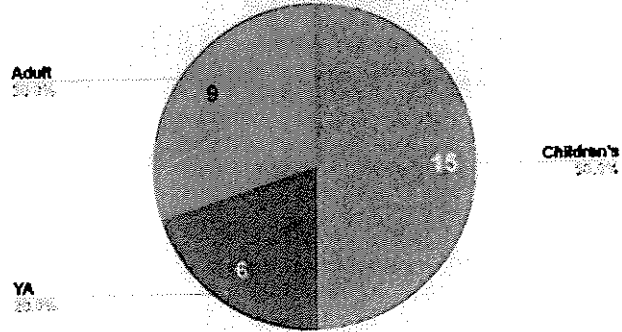
NEW ITEMS ADDED



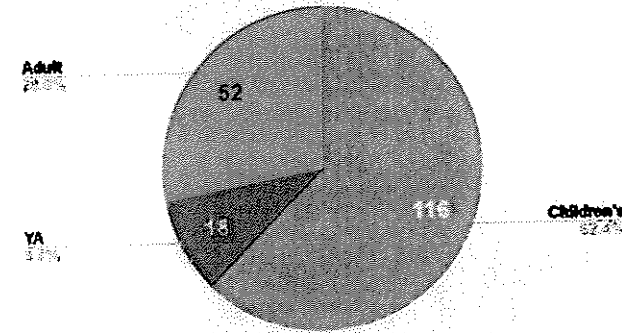
North Douglas Library District
MARCH 2024 STATISTICS
 Mildred Whipple Library



PROGRAMS



PROGRAM ATTENDANCE



SOCIAL MEDIA

475
 Followers
 434 Page Likes

133
 Followers

13
 Followers

Total Posts
 All Platforms

1

Total Engagement
 All Platforms

25

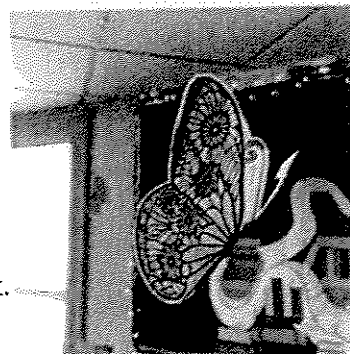
Total Reach
 All Platforms

375

LIBRARY PROJECT SNAPSHOT

PROGRAM SPOTLIGHT: STORY TIME

- Children's Story Time is one of the Mildred Whipple Library's most popular programs! Geared for babies and toddlers (and their grown ups, too!), Story Time is a great way for young children to develop social skills, practice listening comprehension, and engage their creativity with hands-on activities and crafts.
- Story Time is every Tuesday at 11:00 A.M. and includes children's social time and free play, themed read-aloud stories, a themed take-home craft, and the option of a snack.
- During the month of April, stop by the Mildred Whipple Library to color a butterfly to add to the library's display.



STORY TIME-DESIGNED BUTTERFLY IN THE LIBRARY DISPLAY



SNAIL THEME & CRAFT



FROG THEME & CRAFT

Friends of the Mildred Whipple Library fundraiser

DIANE LOU AZÔ



SUNDAY, APRIL 21, 2024

3:00 PM

DOORS OPEN AT 2:15 PM

Join the Friends of the Mildred Whipple Library for a musical performance by international singer Diane Lou Azô! \$5 suggested donation per person. Browse raffle baskets, enjoy refreshments, & meet local author Bob Crites.

All proceeds from this event benefit the North Douglas Library District's Dolly Parton Imagination Library program, which provides a FREE book a month for children under 5 in Drain, Yoncalla, Elkton, Curtin, & Scottsburg.

DRAIN CIVIC CENTER
205 WEST A AVE, DRAIN OR

Friends of the Mildred Whipple Library present

FLEA MARKET

**SATURDAY, MAY 18, 2024
8:00 AM - 3:00 PM**

Reserve a sale spot:

Call Jinni at 541-836-2755.

Tables \$15 each or 2 for \$25.

**DRAIN CIVIC CENTER
205 WEST A AVE, DRAIN OR**

CIVIC CENTER ADVISORY COMMITTEE
April 2024 City Council Update

1. City Administrator Stevens requested the Civic Center Advisory Committee make a recommendation to the Council and Budget Committee for a Civic Center Reserve Fund expense allocation for the 2024-2025 fiscal year. The Civic Center Reserve Fund is for capital improvements and, according to City Administrator Stevens, currently sits between \$110,000 and \$120,000 and is earning close to 5% daily compounding interest.
2. The Civic Center Advisory Committee would like to recommend the Council and Budget Committee keep a minimum of \$100,000 in the Civic Center Reserve Fund. If the Reserve Fund is at \$110,000 the Committee recommends \$10,000 be allocated to capital projects during the next fiscal year. If the Reserve Fund is closer to \$120,000, the Committee recommends up to \$20,000 be allocated to capital projects during the next fiscal year.
3. The Civic Center Advisory Committee recognizes that there are a multitude of both capital and maintenance projects at the Civic Center waiting for funding. The Committee recommends projects that exceed either the Reserve Fund or Maintenance budgets are funded through grant opportunities, of which Committee members are willing to help the City of Drain with informational gathering during the grant process for specific Civic Center projects.
4. The Civic Center Advisory Committee wishes to make the Civic Center more accessible to the community and preserve this space as a community asset. This next fiscal year we will be focusing on 3 goals: 1) Reducing Civic Center electricity costs, 2) Minimizing and/or removing barriers to community usage of the Civic Center space, and 3) Increasing the building's emergency preparedness.
5. The Committee requests Committee inclusion and input into any Civic Center project that the City of Drain and/or Council chooses to proceed with. The Committee would also like to recommend the following capital and maintenance projects as priorities for the Civic Center for the next fiscal year:
 - a. Reducing Civic Center electricity costs:
 - i. Proceed with City-recommended ODOE Grid Resilience Grant Program, which is a 100% covered grant for both solar and solar storage, plus engineering.
 - ii. Update and/or replace the shades and blinds in the building to child-safe, commercial-grade options.
 - iii. Find a solution for UV protection on the windows.
 - iv. Begin updating interior light fixtures to LED.
 - b. Minimizing and/or removing barriers to community usage of the Civic Center space:
 - i. Updating Community Hall tables over the next 3 years.
 - ii. Adding a freezer to the kitchen.

CIVIC CENTER ADVISORY COMMITTEE

April 2024 City Council Update

- iii. Updating the bathrooms, including adding changing stations.
 - iv. Evaluating rental costs.
 - v. Replacing the “Civic Center” exterior building letters and updating the wording to “Civic Center & Library”.
 - vi. Refinishing the Community Hall floor.
 - vii. Fixing the front steps.
 - viii. Updating the front parking lot’s ADA parking space to be in compliance with ADA law and State of Oregon requirements.
 - c. Increasing the Civic Center’s emergency preparedness:
 - i. Note: Many of the projects for the other two goals are also steps towards increasing the Civic Center’s emergency preparedness. For example, the ODOE grant would provide stored solar electricity in the case of a power outage and adding a freezer to the kitchen would provide additional food storage and flexibility during emergencies.
6. Our next meeting is Wednesday, May 1st, at 6:15 PM in the Civic Center Meeting Room.

7. PUBLIC HEARING

a. State Revenue Sharing

b. Budget Hearing



PUBLIC HEARING

OPEN PUBLIC HEARING at _____ P.M. to consider the use of State Revenue Sharing.

BACKGROUND: Counties and cities that collect property taxes are eligible for monies raised from state taxes. These distributions from the state of Oregon are based on formulas that consider population, property taxes per capita and income per capita. Before a city can share in this money the governing body must hold at least two public hearings, publish notice and adopt a resolution or ordinance in which they elect to do so. At these hearings, citizens are given the opportunity to provide written or oral comments on the possible uses of the money. The first hearing was held by the budget committee on April 23, 2024.

For the fiscal year 2024-2025 the City of Drain is budgeting these revenues to be \$14,085. Staff are recommending the Revenue Sharing funds be spent to help cover the costs of the Douglas County Sheriff's Office service contract.

ASK FOR PUBLIC COMMENT.

CLOSED PUBLIC HEARING AFTER PUBLIC COMMENTS AT _____ P.M.



PUBLIC HEARING

OPEN PUBLIC HEARING at _____ P.M. to hear public comments on the Fiscal Year 2024-2025 Budget

BACKGROUND: Cities must hold a public hearing on the budget that was approved by the budget committee. This public hearing allows citizens the opportunity to provide written or oral comments to City Council. On April 23, 2024, the budget committee met to review the proposed budget for fiscal year 2024-2025. The total approved budget is \$16,656,966 with \$12,246,054 in appropriated funds and \$4,410,912 in unappropriated funds.

The budget committee did not make any changes to the proposed budget.

ASK FOR PUBLIC COMMENT.

CLOSE PUBLIC HEARING AFTER PUBLIC COMMENTS AT _____ P.M.

8. COUNCIL BUSINESS

A. RESOLUTION NO. R2324 -14 A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND CATEGORIZING PROPERTY TAX.

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

B. RESOLUTION NO. R2324 -15 A RESOLUTION CERTIFYING FOR THE CITY OF DRAIN'S ELIGIBILITY TO RECEIVE STATE REVENUE SHARING FUNDS

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

C. RESOLUTION NO. R2324 -16 A RESOLUTION DECLARING THE CITY OF DRAIN'S ELECTION TO RECEIVE STATE REVENUES

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

D. RESOLUTION NO. R2324 -17 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE DOUGLAS COUNTY SHERIFF'S OFFICE SIXTH EXTENSION OF THE INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

E. RESOLUTION NO. R2324 -18 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY OF DRAIN AND CCD BUSINESS DEVELOPMENT CORPORATION (CCD)

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

F. ORDINANCE NO. 407 - AN ORDINANCE AMENDING THE DRAIN PUBLIC IMPROVEMENT CODE TO PROVIDE A SEWER CLEANING POLICY – First Reading by Title Only

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

COUNCIL BUSINESS CONTINUED

G. Resolution R2324-19 – A RESOLUTION OF THE CITY OF DRAIN ADOPTING THE DOUGLAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

H. Resolution R2324-20 - A RESOLUTION LIMITING LIABILITY FOR THE CITY OF DRAIN AND OTHER PARTIES FROM PRIVATE CLAIMS RESULTING FROM USE OF TRAILS IN A PUBLIC EASEMENT OR UNIMPROVED RIGHT-OF-WAY UNDER ORD 105.668

MOVE _____
SECOND _____

Unanimous _____
Opposed _____

RESOLUTION NO. R2324-14

RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND CATEGORIZING PROPERTY TAX.

BE IT RESOLVED that the City Council of the City of Drain hereby adopts the budget for fiscal year 2024-2025 in the total amount of \$16,656,966 This budget is on file at the City of Drain, City Hall, 431 Payton Ave, Drain, Or 97435, Douglas County, Oregon.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts shown below are hereby appropriated for the fiscal year beginning July 1, 2024, for the following purposes:

GENERAL FUND

Organizational Unit	\$460,140
Civic Center	\$97,870
Cemetery	\$45,015
Parks	\$1,169,987
Logging	\$661,000
Contingency	\$100,000
Transfers	\$689,205
Total General Fund Appropriations	\$3,223,217

ELECTRIC FUND

Organizational Unit	\$2,398,620
Transfers	\$95,750
Contingency	\$36,051
Total Electric Fund Appropriations	\$2,530,421

WATER FUND

Organizational Unit	\$806,721
Debt Services	\$96,080
Transfers	\$22,000
Contingencies	\$38,980
Total Water Fund Appropriations	\$963,781

WATER REIMBURSEMENT SDC FUND

Organizational Unit	\$2,564
Total Water Reimbursement Fund Appropriations	\$2,564

WATER IMPROVEMENT SDC FUND

Organizational Unit	\$1,064
Total Water Improvement SDC Appropriations	\$1,064

WASTEWATER FUND

Organizational Unit	\$555,600
Debt Services	\$209,452
Transfers	\$34,000
Contingencies	\$75,000
Total Wastewater Fund Appropriations	\$874,052

WASTEWATER REIMBURSEMENT SDC FUND

Organizational Unit	\$2,564
Contingency	\$2,500
Total Wastewater Reimbursement SDC Fund Appropriations	\$5,064

WASTEWATER IMPROVEMENT SDC FUND

Organizational Unit	\$3,064
Contingency	\$1,000
Total Wastewater Reimbursement SDC Fund Appropriations	\$4,064

WASTEWATER LOCAL IMPROVEMENT DISTRICT FUND

Organizational Unit	\$11,100
Total Wastewater Local Improvement Dist. Fund Appropriations	\$11,100

STATE TAX STREET FUND

Organizational Unit	\$533,577
Total State Tax Street Fund Appropriations	\$533,577

ECONOMIC DEVELOPMENT REVOLVING LOAN FUND

Special Payment	\$600,000
Materials & Services	\$12,500
Internal Transfer	\$5,092
Total Economic Devel. Revolving Loan Fund Appropriations	\$617,592

HOUSING REHABILITATION FUND

Organizational Unit	\$100,592
Total Housing Rehabilitation Fund Appropriations	\$100,592

OFFICE EQUIPMENT FUND

Organizational Unit	\$18,250
Total Office Equipment Fund Appropriations	\$18,250

REFORESTATION FUND

Materials & Services	\$96,000
Total Reforestation Fund Appropriations	\$96,000

CITY HALL – TEMPORARY FUND

Materials & Services	\$365,000
Contingency	\$50,000
Total City Hall – Temporary Fund Appropriations	\$415,000

RESERVE FUND – FUTURE EXPENDITURES

Transfer Out	\$2,529,351
Total Reserve Fund	\$2,529,351

RESERVE FUND – CIVIC CENTER

Capital Outlay	\$22,850
Total Reserve Fund	\$22,850

RESERVE FUND – WATER DEPARTMENT

Capital Outlay \$76,015
Total Reserve Fund **\$76,015**

RESERVE FUND – ELECTRIC DEPARTMENT

Capital Outlay \$120,000
Total Reserve Fund **\$120,000**

RESERVE FUND – GENERAL FUND

Capital Outlay \$100,000
Total Reserve Fund **\$100,000**

SPECIAL FUND – REAL ESTATE

Materials and Services \$1,500
Total Reserve Fund **\$1,500**

Total Appropriations, All Funds \$12,246,054

Total Unappropriated Amounts, All Funds \$4,410,912

Total Adopted Budget \$16,656,966

RESOLUTION IMPOSING THE PROPERTY TAX

BE IT RESOLVED that the following ad valorem property taxes are hereby imposed for tax year 2024-2025 upon the assessed value of all taxable property within the district, for the City of Drain.

- 1. At the rate of \$1.5235 per \$1,000 of assessed value for permanent rate tax.

RESOLUTION CATEGORIZING THE TAX

BE IT RESOLVED that the taxes imposed are hereby categorized for purposes of Article XI section 11b as:

SUBJECT TO THE GENERAL GOVERNMENT LIMITATIONS

Permanent Rate Tax\$1.5235/\$1,000

EXCLUDED FROM LIMITATION

General Obligation Bond Debt Services.....\$0.00

The above resolution statements were approved and declared adopted on May 13, 2024, by the City Council of Drain, Oregon.

Jeni Stevens, City Administrator

Erin Sparhawk, Mayor

RESOLUTION NO. R2324-15

A RESOLUTION CERTIFYING FOR THE CITY OF DRAIN'S ELIGIBILITY TO RECEIVE STATE REVENUE SHARING FUNDS

WHEREAS, ORS 221-760, Section 1., provides that the officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 366.820 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

1. Police Protection
2. Fire Protection
3. Street construction, maintenance, and lighting
4. Sanitary sewers
5. Storm sewers
6. Planning, zoning, and subdivision control
7. One or more utility services

WHEREAS, City officials recognize the desirability of assisting the state officers responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

NOW, THEREFORE, BE IT RESOLVED, THE CITY OF DRAIN, OREGON RESOLVES, that it provides the following municipal services enumerated in Section 1, ORS 221.760.

1. Police Protection
2. Street construction, maintenance, and lighting
3. Sanitary sewers
4. Storm sewers
5. Planning, zoning, and subdivision control
6. Municipal Electric and Water Utility Services

APPROVED BY THE CITY COUNCIL, OF DRAIN, OREGON LOCATED IN DOUGLAS COUNTY, OREGON THIS 13TH DAY OF MAY 2024

Erin Sparhawk, Mayor

Jeni Stevens, City Administrator

RESOLUTION NO. R2324-16

A RESOLUTION DECLARING THE CITY OF DRAIN'S ELECTION TO RECEIVE STATE REVENUES

WHEREAS, ORS 221,770 provides that a share of certain revenues of the state of Oregon will be appropriated among and distributed to the cities of the state for general purposes; and

WHEREAS, Pursuant to ORS 221.770, a public hearing was held before the City of Drain Budget Committee on April 23, 2024, giving citizens the opportunity to provide written and oral comment to the authority responsible for approving the proposed budget on the possible use of State Revenue Sharing distributed to the City of Drain; and

WHEREAS, Pursuant to ORS 221.770, a second public hearing was held before the City of Drain City Council on May 13, 2024, giving citizens the opportunity to provide written and oral comment to the authority responsible for approving the proposed budget on the possible use of State Revenue Sharing distributed to the City of Drain; and

WHEREAS, the City of Drain desires to receive a portion of such funds.

NOW THEREFORE, be it resolved that the City Council of the City of Drain, Oregon, hereby elects to receive state revenues for Fiscal Year 2024-2025 pursuant to ORS 221.770, and this resolution takes effect immediately upon adoption.

Adopted by the City Council of the City of Drain, Oregon, located in Douglas County Oregon on this 13th Day of May 2024.

Jeni Stevens, City Administrator

Erin Sparhawk, Mayor

I certify that a public hearing before the Budget Committee was held on April 23, 2024, and a public hearing before the Drain City Council was held on May 13, 2024, giving citizens an opportunity to comment on use of State Revenue Sharing.

Jeni Stevens, City Administrator

RESOLUTION NO. R2324-17

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE DOUGLAS COUNTY SHERIFF'S OFFICE SIXTH EXTENSION OF THE INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES

WHEREAS, Due to financial hardships and numerous legal issues, the City of Drain disbanded its municipal police department in 1979 and entered into a contract with the Douglas County Sheriff's Office to provide police services; and

WHEREAS, Drain provides reasonable office space for a Sheriff's Office substation at no additional cost; and

WHEREAS, the City Council has determined that it is important to continue to contract with the Douglas County Sheriff's Office for law enforcement services; and

NOW, THEREFORE, BE IT RESOLVED, THE CITY OF DRAIN RESOLVES AS FOLLOWS:

SECTION 1: The City Council authorizes and directs the City Administrator to sign the "Sixth Extension of Intergovernmental Agreement for Law Enforcement Services with Drain" provided by the Douglas County Sheriff's Office.

SECTION 2: Effective Date. This Agreement is effective for the fiscal year July 1, 2024, to June 30, 2025.

ADOPTED BY THE DRAIN CITY COUNCIL ON THIS 13th DAY OF MAY 2024.

Erin Sparhawk, Mayor

Jeni Stevens, City Administrator

Draft

**SIXTH EXTENSION OF INTERGOVERNMENTAL AGREEMENT FOR
LAW ENFORCEMENT SERVICES WITH DRAIN**

This sixth contract extension ("sixth extension") is made on the ____ day of _____, 2024, between DOUGLAS COUNTY, a political subdivision of the State of Oregon ("County") and CITY OF DRAIN, a municipal corporation organized and existing under the law of the State of Oregon ("City").

On or about May 30, 2018, County and City entered into a contract, filed in the Douglas County Court Journal on May 30, 2018, under recording No. CJ 2018-0510 ("original contract"). The parties then entered into a first extension of contract, filed in the Douglas County Court Journal on June 12, 2019, under recording No. CJ 2019-0671 ("first extension"); a second extension of contract, filed in the Douglas County Court Journal on August 27, 2020, under recording No. CJ 2020-0887 ("second extension"); a third extension of contract, filed in the Douglas County Court Journal on April 28, 2021, under recording No. CJ 2021-0364 ("third extension"); a fourth extension of contract filed in the Douglas County Court Journal on June 8, 2022, under recording No. CJ 2022-0527; and a fifth extension of contract filed in the Douglas County Journal on June 14, 2023, under recording No. CJ 2023-0702. The original contract, first extension, second extension, third extension, fourth extension, fifth extension and this sixth extension together shall be referred to as "this agreement."

COUNTY AND CONTRACTOR AGREE:

- 1. EXTENSION:** The term of this agreement is extended to June 30, 2025, subject to early termination as otherwise provided.
- 2. PAYMENT:** For the fiscal year of July 1, 2024 to June 30, 2025, the City of Drain agrees to pay the County the sum of \$155,462.93. The City of Drain shall make quarterly payments of \$38,865.73 within 60 days of receipt of the invoice from the County.

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Draft

3. ENTIRE AGREEMENT: Except as modified herein, the terms and conditions of the original contract and all prior extensions and modifications shall apply.

CITY OF DRAIN

By _____
Title _____
Print Name _____
Date _____

REVIEWED AS TO CONTENT

By _____
Douglas County Sheriff
Date _____
Coding _____

**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY**

By _____
Chair
By _____
Commissioner
By _____
Commissioner
Date _____

REVIEWED AS TO FORM

By _____
Office of County Counsel
Date _____

Staff Report

May 13, 2024

Agenda Item	RESOLUTION R2324-18 - A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY OF DRAIN AND CCD BUSINESS DEVELOPMENT CORPORATION (CCD)	
From	Jeni Stevens	City Administrator

SUMMARY

The CCD and Drain do not have a current MOU to utilize the CCD's underwriting, loan packaging and related services that would help establish new loans using Drain's Economic Development Fund. The Economic Development fund is a loan program for new and existing local businesses and staff are anticipating a new loan application soon. Staff will continue to administer the loan but need the CCD's expertise to help establish new loans.

STAFF RECOMMENDATION

Staff recommend approving Resolution R2324-18 allowing the CCD to review and make recommendations regarding loan approvals and authorizing the city administrator to sign the MOU.

POTENTIAL MOTIONS, ACTIONS & OPTIONS


I make a motion to (approve/deny) Resolution R2324-18 - A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY OF DRAIN AND CCD BUSINESS DEVELOPMENT CORPORATION (CCD)

FINANCIAL IMPACT

\$85.00 per hour for underwriting services and support when needed. Loan fees are paid by the applicant at the time the loan is funded.

ATTACHMENTS

- Resolution R2324-18
- Exhibit A - City of Drain Revolving Loan Fund (RFL) Facts and Information
- Exhibit B - MOU between City of Drain and CCD for "Support of City of Drain Owned and Administered Revolving Loan Fund Program"

 13 additional pages of information that is given to local businesses to help them prepare for the prescreening and application process.



RESOLUTION NO. R2324-18

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY OF DRAIN AND CCD BUSINESS DEVELOPMENT CORPORATION (CCD)

WHEREAS, the City of Drain desires to start offering local business loans again from its Economic Development Fund; and

WHEREAS, The City of Drain recognizes that the CCD has the resources and staff expertise to review loan packages and make recommendations regarding loan approvals, modifications and recovery actions; and

WHEREAS, The City of Drain staff will continue to administer the loans under the program guidelines listed in Exhibit A "City of Drain Revolving Loan Fund (RLF) Facts and Information;" and

NOW THEREFORE, be it resolved that the Drain City Council hereby resolves as follows:

SECTION 1: The City Council authorizes and directs the City Administrator to sign the "Memorandum of Understanding between City of Drain and CCD Business Development Corporation, : Exhibit B.

SECTION 2: Effective Date. This Agreement is effective for the fiscal year July 1, 2024 to June 30, 2025.

ADOPTED BY THE DRAIN CITY COUNCIL ON THIS 13th DAY OF MAY 2024.

Erin Sparhawk, Mayor

Jeni Stevens, City Administrator

Exhibit B - pg 1

MEMORANDUM OF UNDERSTANDING

Between
City of Drain
And

CCD Business Development Corporation (CCD)

For Support of City of Drain Owned and Administered Revolving Loan Fund Program

Together, CITY OF DRAIN and CCD enter this Memorandum of Understanding (MOU) to mutually support small business lending in City of Drain's service district. Accordingly, CITY OF DRAIN and CCD, operating under this MOU, agree as follows:

I. PURPOSE AND SCOPE

The purpose of this MOU is to document the roles and responsibilities of CITY OF DRAIN, serving as Owner or Administrator of the Revolving Loan Fund Program, and CCD with respect to loan packaging, underwriting, and servicing services.

II. RESPONSIBILITIES OF THE PARTIES

A. CCD Business Development Corporation will:

- Provide the services of its staff expertise to make recommendations to the Corporation regarding loan approvals, modifications, and recovery actions.
- If applicable, present loan recommendations to the applicable Board overseeing the loan fund in consideration.
- Have no responsibility for loan losses for any loan programs.
- Have no liability for repayment of CITY OF DRAIN RLF loans.
- Maintain records of time and expenses associated with various administrative activities as appropriate at CCD's sole discretion.

B. City of Drain will:

- Administer the revolving loan funds owned and managed by CITY OF DRAIN.
- Be responsible for all final loan decisions.
- Authorize prompt payment of fees to CCD.
- Establish terms and conditions for various loan candidates and modify such terms and conditions as the applicable loan approval committee/board deems appropriate.
- Undertake foreclosure activities, if required.
- Program development and advertising.

III. CONSIDERATION

CITY OF DRAIN agrees to compensate fees and charges to CCD for the above services as follows:

- For packaging and underwriting of new loans, loan fees of 2% based on the loan amount. Loan fees will be paid by the loan applicant at loan funding.
- All out-of-pocket costs will be paid by the loan applicant.
- For underwriting services only, an hourly fee of \$85.00, to be invoiced and paid monthly.
- For existing loans needing servicing/support, an hourly fee of \$85.00, to be invoiced and paid monthly.

Exhibit B- pg 2

- Expenses incurred by CCD related to the administration of the loan portfolios owned or managed by CITY OF DRAIN, i.e., UCC renewals and terminations, costs associated with recordings including releases, insurance coverage required, overnight shipping, etc. Reimbursable expenses will be billed with the service fee invoice monthly.

IV. PERIOD OF AGREEMENT

This MOU will be effective when signed by both parties and will extend until December 31, 2024. It may be extended upon written mutual agreement. Either organization may terminate this MOU upon thirty (30) days' written notice.

V. OTHER TERMS AND CONDITIONS

In the event that elements of the relationship between the parties have been omitted or were not foreseen, or become onerous to one party or the other, the parties jointly pledge to work in a harmonious manner to seek an agreement acceptable to both parties.

Authorization

The signing of this MOU is not a formal undertaking. It implies that the signatories will strive to reach, to the best of their ability, the objectives stated in the MOU.

SIGNED ON BEHALF OF:

City of Drain

By: _____
Jeni Stevens, City Administrator

Date: _____

CCD Business Development Corporation (CCD)

By: _____
Theresa Haga, Executive Director

Date: _____

Exhibit A - pg 1

CITY OF DRAIN REVOLVING LOAN FUND (RLF) FACTS AND INFORMATION

Purpose: Financial assistance for community development projects, the establishment of new businesses and/or the expansion of existing businesses, creation of employment opportunities and/or saving existing jobs. This program was created to assist with business financing when other financing is not available.

How to Get Started:

Meet with the City of Drain to determine the eligibility of the proposed project. Please contact:

Melissa Sullivan Jeni Stevens

Email: accounting@cityofdrain.org Email: city.admin@cityofdrain.org

Phone: (541) 836-2417 Phone: (541) 836-2417

An application package will be required once City of Drain has determined if the project is eligible for the program. A \$250 non-refundable application fee will be required at the time the application is submitted.

Who May Borrow: Any legal entity, including individuals, public and private organizations, and federally recognized Indian tribal groups. At least fifty-one percent (51%) of the ownership must be United States citizens or admitted for permanent residence.

Is Collateral Required: The collateral pledged, as security must adequately secure the entire loan. In most instances to determine the value of collateral being pledged, an appraisal (or equivalent) will be required.

What Are the Eligible Loan Amounts: RLF funds, not to exceed \$250,000, may be used to finance up to 75% of the total project cost.

What Terms Are Available: We offer fixed rate financing with a maximum term of 20 years. Interest rates are set by the loan committee. Terms are based on use of funds and collateral used to secure the loan.

Approval Process: Once the complete Loan Application is received a Credit Request will be prepared for consideration by Drain's City Council at their next available meeting. Drain's City Council meets once monthly on the 2nd Monday of each month.

Where to Receive Help with A Business Plan:

See attached outline provided by CCD Business Development Corporation. Contact the Small Business Development Centers at:

522 SE Washington - OR- 1988 Newmark Avenue

Roseburg, OR 97470 Coos Bay, OR 97420

Phone: (541) 440-7824 Phone: (541) 888-7182

Christopher.glenn@umpqua.edu john.bacon@socc.edu

CITY OF DRAIN IS AN EQUAL OPPORTUNITY LENDER

Complaints of discrimination should be sent to:

Federal Trade Commission, Equal Credit Opportunity, Washington, DC 20250

Exhibit A - pg 2

Eligible Loan Purposes:

Financial assistance involving RLF loan funds to City of Drain loan applicants may include, but are not limited to the following:

1. Business and industrial acquisitions, construction, or remodeling cost;
2. Purchasing and development of land;
3. Purchasing of equipment, leasehold improvements, machinery or supplies;
4. Pollution control and abatement;
5. Transportation services;
6. Startup operating costs and working capital;
7. Feasibility studies;
8. Restricted Debt Refinancing if refinancing is necessary to create new or retain existing jobs, or to create or continue a needed service. City of Drain will obtain previously held collateral as security and will not pay off a creditor in excess of the value of the collateral. Additional collateral will be required when the refinancing of unsecured loans is unavoidable to accomplish necessary strengthening of the City of Drain's position;
9. Interim interest and reasonable fees and charges only as specifically listed in this plan. Authorized fees include loan packaging fees, environmental data collection fees, and other professional fees rendered by professionals generally licensed by individual State or accreditation associations, such as Engineers, Architects, Lawyers, Accountants, and Appraisers;
10. Hotels, motels, tourist homes, bed and breakfast establishments, convention centers, and other tourist and recreational facilities;
11. Educational institutions;
12. Charitable institutions that have revenue from sales or fees to support the operation and repay the loan.

Ineligible Loan Purposes:

City of Drain loan applicants **may not** use financial assistance involving RLF funds for the following:

1. When assistance is in excess of the project cost;
2. When distribution or payment is to the owners, partners, shareholders, or beneficiaries of the loan recipient.
3. Charitable institutions that would not have revenue to support or repay the debt;
4. When a recipient has an application pending, or a loan outstanding, with the City of Drain, if the total loans would exceed \$250,000 or 75% of the total project cost;
5. Assistance to government employees, military personnel, principals or employees of the City of Drain or organizations which such persons have an ownership of 20% or more;
6. For **all** agricultural production, which means the cultivation, production (growing), harvesting, either directly or through integrated operations, of agricultural products (crops, animals, birds and marine life, either for fiber or food for human consumption, and disposal or marketing thereof, the raising, housing, feeding, breeding, hatching, control and or management of farm and domestic animals;
7. For the transfer of ownership unless the loan will keep the business from closing, or prevent the loss of employment opportunities in the area, or provide expanded job opportunities;
8. For community antenna television services or facilities;
9. For any illegal activity;
10. For any otherwise eligible project that is in violation of either a Federal, State or local environmental protection law or regulation or an enforceable land use restriction unless the financial assistance required will result in curing or removing the violation;
11. For lending and investment institutions, insurance companies, golf courses, racetracks, or gambling facilities.

City of Drain Loan Application

City of Drain
PO Box 158
Drain, OR 97435

COMPANY INFORMATION

Company Name _____

Address _____ City _____ State ____ Zip _____

Type of Industry _____ Date Established _____

Type of Entity (check one): Proprietorship Partnership Corporation LLC Trust

Web Site _____

Primary Contact Person _____ Phone _____ Fax _____

Title _____ Email Address _____

COMPANY OWNERSHIP

Name _____ Title _____ Ownership % _____

Name _____ Title _____ Ownership % _____

EXISTING BUSINESS LOCATIONS (If applicable.)

Address _____ City _____ State ____ Zip _____

Square Feet _____ Lease Payment _____ Replaced by new facility? _____

AFFILIATE BUSINESS (If applicable, another business owned 20% or more by any of the applicants.)

Name _____ Owner _____ Ownership % _____

Name _____ Owner _____ Ownership % _____

OTHER REFERENCES

Bank _____ Loan Officer _____ Phone _____

Accountant _____ Firm _____ Phone _____

PROJECT INFORMATION

Project Street Address _____

City _____ State ____ Zip _____ County _____

MISCELLANEOUS QUESTIONS

Have you or any officer of your company ever been involved in bankruptcy or insolvency proceedings?

Are you or your business involved in any pending or prior lawsuits? _____ *If yes, please provide details on a separate sheet.*

Have you ever been charged with and / or arrested for any criminal offense other than a minor motor vehicle violation? _____ Include offenses which have been dismissed, discharged or not prosecuted. *(All arrests and charges must be disclosed and explained on an attached sheet.)*

CHECKLIST

Please provide copies of the following items, **if applicable**.

Business Plan
Letter from participating Lender stating terms & conditions of their loan. If no participating lender, letter of ineligibility.
\$250 Loan Application Fee
Business Federal tax returns for the last three (3) years
Interim financial statement dated within the last 90 days
Personal tax returns for the last three (3) years
Corporation: Articles of Incorporation stamped as "filed" by the State and By-Laws (if applicable)
Limited Liability Company: Articles of Organization stamped as "filed" by the State and Operating Agreement (if applicable)
Trust: Trust Agreement (if applicable)
Partnership: Partnership Agreement (if applicable)
Business License and Fictitious Business Name Statement (if applicable)
SAM.GOV Unique Entity ID (Instructions Attached)

Credit Check Form (form attached)
Personal resume
Copy of Drivers License (front/back) for anyone with ownership in business
Personal Financial Statement for anyone with ownership in business (form attached)
Completed Estimated Closing Costs (form attached)
Real Estate Purchase Agreement (if applicable)
Construction cost budget and/or equipment invoices (if applicable)
Lease / Rental Agreements (if applicable)
Appraisal or Current Property Tax Valuation (if available)
Equipment List (list description, serial # and/or model # of equipment to be offered as collateral.
Franchise Agreement (if applicable)
Projections: Balance Sheet & Profit & Loss Statements, year-end for 2 years

NOTE: Incomplete packages could cause delays in the processing of the loan.

PRINCIPAL PROFILE

Name	Title	% Owned	Military Service	Vietnam Service	Service Disabled	*Race	Sex
			From: To:	<input type="checkbox"/> Yes or <input type="checkbox"/> No	<input type="checkbox"/> Yes or <input type="checkbox"/> No		
			From: To:	<input type="checkbox"/> Yes or <input type="checkbox"/> No	<input type="checkbox"/> Yes or <input type="checkbox"/> No		
			From: To:	<input type="checkbox"/> Yes or <input type="checkbox"/> No	<input type="checkbox"/> Yes or <input type="checkbox"/> No		

Percentage owned must add up to 100%

*For each owner, please select the appropriate letter from Column A and the appropriate number from Column B, then please enter the answer in the column marked race.

Column A

With what race does the owner most closely identify?
Choose only one.

- A. African American
- B. Native American (other than Eskimo or Aleut)
- C. Eskimo or Aleut
- D. Asian or Pacific Islander
- E. White
- F. Other

Column B

Does the owner consider him/herself to be of Hispanic origin?
Choose only one.

- 1. No (not Hispanic)
- 2. Yes (Puerto Rican)
- 3. Yes (other than Puerto Rican)

Note: This information is collected for statistical purposes and is necessary to document fair – lending practices. It has no bearing on the credit decision to approve or decline this application but must be completely provided on the loan forms as indicated.

ASSISTANCE AGREEMENT

Loan Applicant hereby requests that the City of Drain provide assistance in seeking financing from the City of Drain’s revolving loan fund, governmental agencies and/or private lending institutions.

Loan Applicant hereby acknowledges that the City of Drain and/or its *staff do not and cannot guarantee* that Loan Applicant will receive loan(s) from the City of Drain, or from private or public lenders or guarantors.

Loan Applicant further acknowledges that the City of Drain may request information from Loan Applicant and that failure to furnish the information requested on a timely basis will delay the specific assistance to be provided.

Loan Applicant agrees that there are no oral promises, terms, or agreements outside this agreement, and that this written agreement controls over any such oral promises, terms or agreements, whether they are conflicting, addition, or consistent. No changes may be made to this agreement by any agent or employee of the City of Drain, or another party, without express written approval from the City of Drain.

Loan Applicant certifies that he/she has read the above agreement and agrees with each provision.

By: _____

Title: _____

Date: _____

AUTHORIZATION TO RELEASE INFORMATION

I/We hereby authorize the release to the City of Drain of any information they may require at any time for any purpose related to my/our credit transactions with them.

I/We further authorize the City of Drain to release such information to any entity they may deem necessary for any purpose related to my/our credit transaction with them.

I/We hereby certify that the enclosed information, including any attachments or exhibits provided herewithin, or at a later date, is valid and correct to the best of my/our knowledge.

Name of applicant(s) _____

Signature of applicant(s) _____ Date _____

Name of applicant(s) _____

Signature of applicant(s) _____ Date _____

SAM UNIQUE ENTITY ID NUMBER

All entities are required to obtain a Unique Entity ID (UEI) number through SAM.gov. Instructions for obtaining the UEI will be provided as part of the loan application packet.

CITY OF DRAIN IS AN EQUAL CREDIT OPPORTUNITY LENDER

**CITY OF DRAIN &
CCD BUSINESS DEVELOPMENT CORPORATION
Assistance Agreement**

This agreement is made on _____, 20____, between the City of Drain, an Oregon municipal corporation, hereinafter referred to as "City of Drain" and CCD Business Development Corporation, an Oregon nonprofit corporation, hereinafter referred to as "CCD" and _____, hereinafter referred to as Loan Applicant.

Loan Applicant hereby requests that the City of Drain and CCD provide assistance in seeking financing from the City of Drain's revolving loan fund, governmental agencies and/or private lending institutions.

Loan Applicant hereby acknowledges that the City of Drain/CCD and/or its staff do not and cannot guarantee that Loan Applicant will receive loan(s) from the City of Drain/CCD, or from private or public lenders or guarantors.

Loan Applicant further acknowledges that the City of Drain and CCD may request information from Loan Applicant and that failure to furnish the information requested on a timely basis will delay the specific assistance to be provided.

Loan Applicant agrees that there are no oral promises, terms, or agreements outside this agreement, and that this written agreement controls over any such oral promises, terms, or agreements, whether they are conflicting, addition, or consistent. No changes may be made to this agreement by any agent or employee of the City of Drain and CCD, or another party, without express written approval from the City of Drain and CCD's Executive Director.

Loan Applicant, by signing below, authorizes the City of Drain/CCD, its members, and staff, to verify any information provided within this loan application and further authorizes the release of any information necessary in normal credit background investigation and to verify any of the information provided.

Loan Applicant certifies reading of the above Agreement and agrees with each provision. Lender, the City of Drain and CCD acknowledge receipt and acceptance of each provision of this agreement.

Entered into at _____, Oregon, on the date first written above.

PROJECT NAME:

By: _____
Loan Applicant

Date: _____

By: _____
City of Drain

Date: _____

By: _____
CCD Business Dev. Corp.

Date: _____

CITY OF DRAIN ESTIMATED CLOSING COSTS FOR RLF LOANS

Loan Fee: 2% of the loan amount.

UCC-1 Filing (State)	\$15.00 Each
UCC-1A Filing (County)	\$91.00 - \$110.00 (Average)
Trust Deed	\$91.00 - \$141.00 (Average)
Lien Search	\$125.00
Credit Report	\$125.00
Flood Report	\$125.00
Copies / Document Prep.	\$200.00
Title Policy	Amount Varies (based on loan amount)

City of Drain contracts with CCD Business Development Corporation to underwrite loans for their RLF program. The above 2% Loan fee will be withheld through closing and made payable to CCD Business Development Corporation.

The above is an *estimated* list of fees and closing costs that *could* be associated with the closing of an RLF loan. The type of collateral offered, and the amount of your loan determines the amount of many of the fees. Lien Search, Credit Report, Flood Report, and Copies/Document Preparation Fees will be withheld at closing and made payable to CCD Business Development Corporation.

CITY OF DRAIN LOAN APPLICATION FEE

The undersigned loan applicant(s) agrees to pay City of Drain a NON-REFUNDABLE loan application fee of \$250.00.

Please sign and return this form with a check for \$250.00 made payable to City of Drain.

Business: _____

County: _____

By: _____

Date: _____

By: _____

Date: _____

In-House Loan Program (**Start-up Business/Business Less Than 2 years in Existence**):

Below is a list of items that you will need to submit to City of Drain/CCD for review. A pre-screen will be completed to determine eligibility. If we can assist you, we will then invite you to complete our application process and submit your \$250 non-refundable application fee.

- **Business Plan** - Applicant required to submit a full Business Plan for us to review (required for start-up and businesses less than two years in existence).
- **Personal Financials** - 3 most recent years of Personal Tax Returns in their **entirety** for all obligors. Include copies of W-2's or 1099's for any outside income, including spouses.
- **Personal Financials** - Personal Financial Statement – required for anyone with ownership in the business. Spouses must be included and sign.
- **Business Financials** – Business tax returns in their entirety filed for the business for years in existence.
- **Business Financials** – Current Interim financials including Balance Sheet and Profit & Loss Statement no older than 60 days.
- **Collateral List** - Loans must be fully secured with collateral – *please provide us with a list of potential collateral that can be used to secure the note and any outstanding liens on the property.* Collateral can be in the form of equipment, furniture, fixtures, commercial or residential property and inventory. Commercial property is valued @ 75% of the current value less any liens, residential property is valued @ 90% of current value less any liens, furniture, fixtures (FF&E) and equipment is valued at 50% and inventory is valued at 25%.
- **Borrower Injection - Informational** – City of Drain loans can only provide 75% financing of the total project costs up to \$250,000 to any one borrower. Borrowers must show that they have already injected (invested) into business or have available the remaining 25% of the project cost. This requirement may be waived if City of Drain is in partnership with a Traditional Lender or other Lending Program, determined on a case-by-case basis.
- **Informational - Informational** - Terms of our loans are based on 7-11% interest. Loans secured with real estate can be amortized for 20 years. Loans secured with only FF&E can be amortized for 7-10 years.

In-House Loan Program (**Existing Business or Purchase of Existing Business 2 years or more in existence**):

Below is a list of items that you will need to submit to City of Drain/CCD for review. A **pre-screen** will be completed to determine eligibility. If we can assist you, we will then invite you to complete our application process and submit your \$250 non-refundable application fee.

- **Business Plan (Business Profile)** – Business Plan is required. However, if the business has an active website, we may be able to obtain certain information from there and then be supplied with a business profile (summary) including business history, products and services, competitors, etc. to fill in any gaps to complete our process.
- **Personal Financials** - 3 most recent years of Personal Tax Returns for all obligors. Include copies of W-2's or 1099's for any outside income, if married, spouse must be included.
- **Personal Financials** - Personal Financial Statement for all obligors– if married spouse must be included.
- **Business Financials** - 3 most recent years of Business Tax Returns in their **entirety**. Note: If historical business financials are not available for the existing business, it will be treated as a start-up business requiring 3 years of projections with assumptions.
- **Business Financials** - Current interim financials no older than 60 days including Balance Sheet and Profit & Loss Statement.
- **Collateral List** – City of Drain loans must be fully secured with collateral. Provide a **list of potential collateral** that can be used to secure the note and any outstanding liens on the collateral. Collateral can be in the form of equipment, furniture, fixtures, commercial or residential property and inventory. Commercial property is valued @ 75% of the current value less any liens, residential property is valued @ 90% of current value less any liens, furniture, fixtures (FF&E) and equipment is valued at 50% and inventory is valued at 25%.
- **Borrower Injection -(informational)** - Loans can only provide 75% financing of the total project costs up to \$350,000 to any one borrower. Borrowers must show that they have already invested (injected) into business or have available the remaining 25% of the project cost. **This requirement may be waived if City of Drain is in partnership with a Traditional Lender or other Lending Program or determined on a case-by-case basis.**
- **Loan Terms - Informational** – Current terms of our loans are based on estimated 7-11% interest. Loans secured with real estate can be amortized for 20 years. Loans secured with only FF&E can be amortized for 7-10 years.

Business Plan Basic Template

The purpose of the business plan is to:

- Help you think through the venture and ensure that you have considered all your options and anticipate any potential difficulties.
- Convince potential lenders and investors that you are in control of the project and that their money is safe with you.
- Serve as an operating guide as you turn your ideas into a viable business.

Example Outline:

(COVER PAGE)

Business Name

Contact Name

Address

Phone Number

Date

Describe Your Company/Business –

Describe Your Product or Services -

State your Legal Entity & Ownership – (sole proprietor, corporation, LLC, etc.)

Your Management Team – (Key people only.) (Example would be their resume.)

State What You Are Requesting – (How much money is needed? What will the money be used for? How will the funds be repaid? What collateral will be offered to secure the loan requested?)

Market Analysis – (Generally explain who needs your products or service and how you plan to reach them.)

The Competition – (Briefly describe your competition and tell how their operations are similar or different than yours. What makes you unique?)

Financial Data – (Existing business include current balance sheet and income statement not less than 90 days old. Include a current equipment list. Two years of historical year end income statement figures and two years of cash flow projections.) (New businesses include a current balance sheet and two years of projected year end income statement figures. Include a current equipment/asset list.)

Supporting Documents – (Personal Financial Statements for all principals of the business. Copies of any leases, contracts, or other legal documents.)

Additional Items – (Pictures of business and products, letter of references, etc.)

For additional reference materials visit www.Bplans.com

Business Plan Guidelines

Every business venture can benefit from the preparation of a carefully written business plan. The purpose of the business plan is to:

1. Help you think through the venture and ensure that you have considered all your options and anticipated any potential difficulties.
2. Convince potential lenders and investors that you are in control of the project and that their money is safe with you.

3. Serve as an operating guide as you turn your ideas into a viable business.

The following pages provide a suggested outline of the material that should be included in your business plan. The final product should be tailored to fit circumstances and personality of you and your business.

Business Plan Outline

1. **Cover:** Name, address, and telephone number of business. Give your plan a businesslike appearance by typing it on high quality paper and putting it in a vinyl or cardstock binder or a three-ring binder.
2. **Title Page:** Repeat business name, address, and telephone number, and add names and addresses of the principal owners. Also, show the date of issue of the plan and type "copy number _____" so you can number and control the copies.
3. **Executive Summary:** A brief (one-page) statement of the business plan objectives. Address the following questions and add additional information that will help you achieve your goals. (You may choose to write this page last).

- A. What is the purpose of this plan? Will it be used as:
 - An operating guide?
 - A financing proposal?
- B. What business structure have you chosen (i.e., sole proprietorship, partnership, and corporation, S Corporation)?
- C. Who are the principals and what are their proportions of ownership?
- D. Why will the venture be successful?

For a financing proposal:

- A. Who is requesting the funds and how much is needed?
 - B. What will the money be needed for?
 - C. How will the funds be repaid?
 - D. What collateral will be offered to secure the loan?
 - E. Why does a loan or an investment make sense?
Impact on loan economy
 - Job creation
 - Increased tax base
 - Investment in the future of the community
4. **Table of Contents:** A single page showing major topics and page references.
 5. **Description of the Business:** Answer as many of the following questions as are appropriate:
 - A. What business are you in?

- Type of business: primarily merchandising, manufacturing, or service?
 - What is the nature of the product(s) or service(s)?
 - What will be special about your business?
- B. What market do you intend to serve? What is the total market, and what is your expected share?
 - C. How can you serve the market better than your competition?
 - D. Present status of the business: start-up, expansion of a going concern, or take-over of an existing business?
 - E. If you will be doing any contract work, what are the terms? Reference any firm contracts and include them as supporting documents.
 - F. Do you have letters of intent from prospective suppliers?
 - G. What is the history of the business?
 - H. Why does the owner wish to sell at this time?
 - I. If the business is going downhill, why? How can you turn it around?
 - J. How will your management make the business more profitable?
 - K. What changes do you plan to make in the business?
 - L. What is the purchase price formula? Give breakdown for building, improvements, equipment, inventory, and goodwill.

Note: If your will be a seasonal business, make sure the seasonality is reflected in your narrative and financial projections with appropriate footnotes.

6. Business Location:

- A. What is your business address and why did you choose that location?
- B. Will the building be leased or owned?
- C. What are the terms and length of the lease contract?
- D. What renovations will be needed and at what cost?

- E. Describe the neighborhood (e.g., stable, changing, improving, deteriorating).
- F. What other kinds of business are in the neighborhood?
- G. How much can your business expand before you will be forced to move or add on to the present building?

7. **Licenses and Permits:**

- A. Is your business registered with the secretary of the state?
- B. State how you will be affected by local zone regulations.
- C. What other licenses or permits will you be required to obtain?

8. **Management:**

- A. What is your business and management experience?
- B. What education have you had, including both formal and informal course, that contribute to your managerial abilities?
- C. Are you physically suited to the job?
- D. Do you have direct operational and/or managerial experience in this type of business?
- E. Describe your organizational structure and include a brief description of who does what. (Include an organization chart if necessary.)
- F. List proposed salaries and wages.
- G. What other management resources will be available (accountant, lawyer, SBCD)?

9. **Personnel:** Write a paragraph or two about your personnel needs.

- A. What are your anticipated personnel needs?
- B. What skills must your employees have?
- C. Can you use part-time help to meet changing business volume?
- D. Will you have to train people, and at what cost?

10. **Insurance:** Describe your potential business risks and tell what insurance coverage you will purchase to protect yourself.

11. **The Market:** Generally explain who needs your products or service and how you plan to reach them.

- A. What is the present size and growth potential of the market?
- B. What percent of the market will you have now and in the future?

- C. Describe age, sex, occupation, lifestyle, income, etc., of your various market segments.

D. How will you attract and keep your segment of this market?

- Product quality
- Price
- Public relations
- Personal selling

E. What features or services will you offer that will justify your price?

F. How will you handle credit sales?

- Extend your own credit
- Accept major credit cards

12. **Competition:** Briefly describe your competition and tell how their operations are similar and dissimilar to yours. What is your unique selling proposition and how will you use it to control your market share?

13. **Financial Data:**

A. Source and application of funds statement.

B. Capital equipment list.

C. Current balance sheet and income statement (less than 90 days old).

D. Break-even analysis.

E. Projected income statement

- Detail by month, first year
- Detail by quarter, second year
- Notes of explanations and assumptions

F. Cash flow projections

- Detail by month, first year
- Detail by quarter, second year
- Notes of explanations and assumptions

G. Projected balance sheet

- Notes of explanation and assumptions

H. For an existing business

- Income statements
- Balance sheets and/or
- Tax returns for the past three years

14. **Supporting Documents:**

A. Personal resumes for all principals.

B. Personal financial statements for all principals.

C. Letters of reference.

D. Letters of intent from prospective suppliers or customers

E. Copies of all leases, contracts, or agreements, deeds, or other legal documents.

F. Any other information that might help your cause or answer potential questions.

Projected Operating Statement

Business Name: _____ Beginning Mo./Yr. _____

	1st Month	2nd Month	3rd Month	4th Month	5th Month	6th Month	7th Month	8th Month	9th Month	10th Month	11th Month	12th Month	TOTAL
Gross Sales or Receipts													0
Less: Cost of Goods Sold													0
Gross Profit	0	0	0	0	0	0	0	0	0	0	0	0	0
Less Expenses													0
Accounting & Legal													0
Advertising													0
Bad Debts													0
Depreciation													0
Insurance													0
Interest													0
Rent													0
Repairs & Maintenance													0
Salaries & Wages (to others)													0
Supplies													0
Taxes & Licenses													0
Other Expenses													0
													0
													0
TOTAL EXPENSES	0	0	0	0	0	0	0	0	0	0	0	0	0
Net Profit	0	0	0	0	0	0	0	0	0	0	0	0	0
(Before Taxes & Debt Service)													
Projected Owner's Withdrawal													
Debt Service													
Net Profit Before Taxes	0	0	0	0	0	0	0	0	0	0	0	0	0

Assumptions To Projections:

Staff Report

May 13, 2024

Agenda Item	ORDINANCE NO.407 - AN ORDINANCE AMENDING THE DRAIN PUBLIC IMPROVEMENT CODE TO PROVIDE A SEWER CLEANING POLICY	
From	Jeni Stevens	City Administrator

SUMMARY

While reviewing ordinances during the recodification process it was discovered that Ordinance 407 never had a second reading in 2007 and ultimately was never approved; however, staff in 2009 sent the ordinance to be codified in the City of Drain Code of Ordinances. There are no notes that indicate why the second reading wasn't done but staff have reviewed it and believe it is still very important today. In order for this ordinance to be valid, it must go through the 1st and 2nd reading.

STAFF RECOMMENDATION

Staff recommend keeping this ordinance.

POTENTIAL MOTIONS, ACTIONS & OPTIONS

First reading, no motion needed.

FINANCIAL IMPACT

None

ATTACHMENTS

- Ordinance 407



ORDINANCE NO. 407

**AN ORDINANCE AMENDING THE DRAIN PUBLIC IMPROVEMENT
CODE TO PROVIDE A SEWER CLEANING POLICY**

RECITALS:

WHEREAS, the City's insurance carrier, City County Insurance Services, recommends a sewer cleaning policy for both public and privately owned sewer lines.

WHEREAS, sewer blockages occur due to accumulation of material in lines, broken lines, tree roots, old drain lines, and unsuitable substance in lines such as kitchen fats, grease, sand, mud, clay, diapers, toys, and/or baby wipes.

NOW, THEREFORE, THE CITY OF DRAIN ORDAINS AS FOLLOWS:

The Drain Public Improvement Code is amended to provide:

Section 7.227 Sewer Cleaning Policy.

- (1) The City of Drain shall clean, maintain and repair all sewer main lines and the portion of service lines located in the City right-of-way.
- (2) A private property owner shall clean, maintain and repair privately owned sewer service lines.
- (3) Grease, oil and sand interceptors shall be installed as referred to in Section 7.220(8).
- (4) In the event of a plugged sewer service line the following procedures will be followed:
 - a. The City shall be notified of the blockage and City personnel will be dispatched to investigate the problem.
 - b. City personnel will check the main line upstream and downstream of the blockage to ensure that the sewer main line is not blocked or plugged.
 - c. If the sewer main line is blocked, City personnel shall clean the line and return it to normal operations and check private service lines to ensure they are operating properly and are in good working condition.
 - d. If the private service line is blocked, City personnel will contact and notify the resident or business and the property owner of the problem or possible defects in the line.
 - e. City personnel shall clean the private service line if the private service line blockage is caused by a main line blockage. City personnel will request written authorization from the property owner granting access to the property and waiving the City and its personnel from any damages. Work will be performed at an existing sewer cleanout located on the exterior of the building.
 - f. If no cleanout exists, City personnel shall not enter into property owner's building to

perform cleaning work on private sewer service lines.

- g. If the main line is found to be clear and the private sewer service line is plugged, the property owner shall contact a sewer line cleaning business (plumber, etc.) for assistance. City personnel may provide names and phone numbers of sewer cleaning businesses in the area; however, they will refrain from making recommendations.
- h. If the sewer line cleaning business and City personnel determine that the blockage is located in the city right-of-way, the City will reimburse the property owner for the City's portion of the cost.
- i. In cases of extreme emergencies and a sewer cleaning business cannot respond, City personnel may, with prior written authorization from the property owner, clean and remove the blockage of the private sewer service line. The property owner will be billed accordingly for these services.
- j. As referred to in Section 7.215 (10), special equipment may be required to limit the damage caused by a sewer backup or blockage. The City may require a sewer cleanout and a backwater valve be installed on a private sewer service line as defined in the State Uniform Plumbing Code requirements.
- k. City personnel shall not discuss fault or liability with the property owner. If property damage occurs, City personnel shall document details and procedures and contact City's insurance carrier for further instructions. Also, City personnel shall abide by the Department of Environmental Quality notification requirements.

First Reading on May 13, 2024.

Staff Report

May 13, 2024

Agenda Item	RESOLUTION R2324-19 - A RESOLUTION OF THE CITY OF DRAIN ADOPTING THE DOUGLAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN	
From	Jeni Stevens	City Administrator

SUMMARY

The Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan took over a year to complete and resulted in a 331-page document that will be made available on the city of Drain's website soon. Now that the project is complete and approved by FEMA, it must now be adopted at the local level, via resolution. Since the document is so large, a copy has been provided to each Council member, via email, for review.

STAFF RECOMMENDATION

Staff recommend approving Resolution R2324-19.

POTENTIAL MOTIONS, ACTIONS & OPTIONS

I make a motion to (approve/deny) Resolution R2324-19 - A RESOLUTION OF THE CITY OF DRAIN ADOPTING THE DOUGLAS COUNTY MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN

FINANCIAL IMPACT

None

ATTACHMENTS

- Resolution R2324-19





R2324-19

**A RESOLUTION OF THE CITY OF DRAIN ADOPTING THE DOUGLAS COUNTY
MULTI-JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN**

WHEREAS the city of Drain recognizes the threat that natural hazards pose to people and property within the city of Drain; and

WHEREAS the city of Drain has prepared a multi-hazard mitigation plan, hereby known as the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the city of Drain from the impacts of future hazards and disasters; and

WHEREAS adoption by the city of Drain demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED the city of Drain, Oregon, that:

Section 1. The city of Drain, City Council does hereby adopt the Douglas County Multi-Jurisdictional Natural Hazard Mitigation Plan dated January 2024 through January 2029. While content related to the city of Drain may require revisions to meet the plan approval requirements, changes occurring after the adoption will not require the city of Drain to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period of this plan will require separate adoption resolutions.

ADOPTED BY THE DRAIN CITY COUNCIL ON THIS 13th DAY OF MAY 2024.

Erin Sparhawk, Mayor

Jeni Stevens, City Administrator

Staff Report

May 13, 2024

Agenda Item	Resolution R2324-20 - A RESOLUTION LIMITING LIABILITY FOR THE CITY OF DRAIN AND OTHER PARTIES FROM PRIVATE CLAIMS RESULTING FROM USE OF TRAILS IN A PUBLIC EASEMENT OR UNIMPROVED RIGHT-OF-WAY UNDER ORS 105.668	
From	Jeni Stevens	City Administrator

SUMMARY

ORS 105.668 provides immunity against negligence claims arising from personal injury or property damage from the use of a trail or structures in an unimproved right of way or public easement.

ORS 105.668 immunity extends automatically to:

- Cities with populations of 500,000 or more;
- those cities' agents, officers, and employees, to the extent they are covered by ORS 30.285;
- owners of the land abutting the public unimproved right of way or public easement; and
- nonprofits and their volunteers that construct or maintain the trail or structure in the right of way or public easement.

Cities with populations of fewer than 500,000 residents may choose to opt into ORS 105.668 and the immunity will cover the same entities as above. Because Drain has fewer than 500,000 residents, the Council must choose to opt into ORS 105.668 immunity. This can be done by resolution or ordinance. Staff recommends that the Council opt into ORS 105.668 via resolution.

Opting into ORS 105.668 immunity is recommended because ORS 105.668 immunity is broader than the recreational immunity already extended to the City through ORS 105.682. ORS 105.668 will provide immunity for negligence claims arising out of personal injuries or property damage resulting from any use, so long as the use is of a trail or structure in an unimproved right of way or easement.

ORS 105.668's language also explicitly extends immunity to a city's officers, employees, and agents, whereas the Oregon Supreme Court has held that ORS 105.682 recreational immunity only applies to the "owner" of the land, which may not include officers, employees, and agents of a city.¹ Therefore, ORS 105.668 fills gaps left open by the "recreational" limitation of ORS 105.682.

Additionally, ORS 105.668 offers landowners an incentive to grant public easements and rights of way by providing increased protections from liability in the same manner as it does cities and their officers, employees, and agents.

¹ Johnson v. Gibson, 358 Or 624, 630, 638, 369 P3d 1151 (2016) (holding that, because "only persons with authority to control and exclude from the land qualify as 'owner[s]' of the land [for the purposes of ORS 105.682]," employees who repaired and maintained city-owned recreational lands were not owners of that land and were therefore not immune from liability under ORS 105.682).



ORS 105.668 only grants immunity for personal injuries or property damage arising from negligence, not from all causes of action. Therefore, the City and the other entities could still be held liable for some personal injury or property damage claims, such as claims arising from intentional acts or activities for which a person is strictly liable.

PREVIOUS COUNCIL ACTION

None

STAFF RECOMMENDATION

Staff recommend the approval of this resolution.

POTENTIAL MOTIONS, ACTIONS & OPTIONS

I make a motion to (approve/deny) Resolution R2324-20, A RESOLUTION LIMITING LIABILITY FOR THE CITY OF DRAIN AND OTHER PARTIES FROM PRIVATE CLAIMS RESULTING FROM USE OF TRAILS IN A PUBLIC EASEMENT OR UNIMPROVED RIGHT-OF-WAY UNDER ORS 105.668

FINANCIAL IMPACT

None

ATTACHMENTS

R2324-20





R2324-20

A RESOLUTION LIMITING LIABILITY FOR THE CITY OF DRAIN AND OTHER PARTIES FROM PRIVATE CLAIMS RESULTING FROM USE OF TRAILS IN A PUBLIC EASEMENT OR UNIMPROVED RIGHT-OF-WAY UNDER ORS 105.668

WHEREAS, ORS 105.668(2) limits certain lawsuits against cities, adjacent property owners, and certain nonprofit groups and their volunteers that arise from the use of trails or structures in public easements or unimproved rights of ways; and

WHEREAS, ORS 105.668(3) authorizes cities with populations of less than 500,000 to opt into the immunities provided in ORS 105.668(2) by adoption of an ordinance or resolution; and

WHEREAS, Trails, which are located withing public easements and rights-of-way are an important public amenity that support a healthy community; and

WHEREAS, The City believes it is important to protect and support the activities of the City, private parties, community groups, and volunteers that make the trails available for public use; and

WHEREAS, The City desires to adopt the immunities from liability provided under ORS 105.668 to further the public interest by protecting and supporting efforts and activities of the City, property owners, and parties that create and maintain trails and make such trails available for public use.

NOW, THEREFORE, BE IT RESOLVED, THE CITY OF DRAIN RESOLVES AS FOLLOWS:

Section 1. Pursuant to ORS 105.668(3)(a) and (b), the City of Drain, on behalf of itself and its officers, employees, and agents, hereby opts to limit liability in the manner established by ORS 105.668(2).

Section 2. Pursuant to ORS 105.668(3)(c) and (d), the City of Drain further opts to extend the immunity adopted in Section 1 of this Resolution to: (a) The owners of land abutting public easements and unimproved right of ways located within the City; and (b) Any nonprofit corporation and its volunteers for the construction and maintenance of trails or structures in a public easement or unimproved right of way located within the City.

Section 3. If any provisions, section, phrases, or words of this resolution or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

Section 4. This resolution becomes effective on the date of City Council's adoption.

ADOPTED BY THE DRAIN CITY COUNCIL ON THIS 13th DAY OF MAY 2024.

Erin Sparhawk, Mayor

Jeni Stevens, City Administrator

8. DISCUSSION ITEMS

9. INFORMATIONAL ITEMS

a) Financial Update – Q3 2024 report attached.

b) Staff Update – Staff Report attached.



STAFF REPORT

Subject: Financial Update –3rd Quarter FY24
Date: May 13, 2024
Prepared By: Jeni Stevens
Information: The following is a financial update of expenditures to budget, per fund.

		Budgeted	Actual	% of Budget Used
General Fund:	Organizational Unit	\$441,997	\$110,367	25%
	Civic Center	\$94,675	\$65,799	69%
	Cemetery	\$66,540	\$18,558	28%
	Parks	\$69,370	\$20,213	30%
	Logging	\$440,000	\$6,777	2%
Electric	Organizational Unit	\$1,710,650	\$1,221,207	71%
Water	Organizational Unit	\$691,525	\$236,187	34%
	Debt Services	\$96,081	\$96,079	100%
Reserve	Materials & Services – General	\$62,603	\$-0-	0%
	Capital Outlay – Electric	\$248,960	\$145,106	58%
	Capital Outlay – Water	\$42,239	\$2,796	7%
State Street	Organizational Unit	\$318,500	\$59,880	19%
Economic Develop.	Materials & Services	\$15,000	\$875	6%
	Special Payment	\$300,000	\$-0-	0%
Housing Rehab.	Organizational Unit	\$96,500	\$1,255	1%
Wastewater	Organizational Unit	\$563,875	\$309,378	55%
	Debt Services	\$209,454	\$209,452	100%
Office Equipment	Organizational Unit	\$17,000	\$2,654	16%
Reforestation	Materials & Services	\$126,000	\$26,301	21%
City Hall – Temp Fund	Organizational Unit	\$745,000	\$129,132	17%

Staff Report

May 13, 2024

Agenda Item	Staff Update	
From	Jeni Stevens	City Administrator

1. **Emergency Preparedness** meeting on May 18th from 10:30 to 12:00 at the Civic Center in the meeting room. All are welcome. Fliers are available on the sign-in table.
2. **Government Ethics Training** at the Civic Center Hall on June 13th. Registration is required and there are two sessions to choose from. One at 2:00 PM and the other at 5:30 PM. This class is open to all public officials, including employees and volunteers from any government agencies, school districts, and special districts. Agencies from any city or county in Oregon may attend.
3. **City Wide Clean Up** – Tentative date is June 29th. Fliers will be posted once details have been finalized.
4. **Oregon Main Street** – Drain has been officially accepted into the Connected Communities level of the OMS Network. If Drain is awarded a RARE again next year, this will be one of the projects they work on. What does this mean for Drain? Once we find out if Drain is awarded a RARE, staff will make a plan to provide community meetings that present OMS methodology and provide discussion to see if the community is in support of Drain moving forward with this program.

As part of enrollment at the Connected Communities tier, Drain is eligible for the following benefits:

- Virtual Main Street Overview with Oregon Main Street staff.
- Virtual organizational development consultation if the community is considering moving forward with a main street organization or is looking at expanding efforts based on the Main Street methodology.
- Notices about future workshops, downtown tips, and information on Oregon Main Street.
- Participation in the Oregon Main Street listserv (required).
- Phone technical assistance and other assistance as resources permit.
- Opportunity to apply for the Oregon Main Street Revitalization Grant when funding is available.

To maintain status at the Connected Communities tier, staff is required to:

- Submit a brief annual report.
- Attend at least one Oregon Main Street training opportunity every two years.

5. **Pass Creek Covered Bridge** – The City’s engineering firm sent out an engineer to look at the bridge on April 3rd. A new inspection will be needed since the last one is too old and there could be additional issues. There was money approved in the FY25 budget for inspections and once the new inspection is completed, it will list estimated costs to repair the bridge. Once this is complete, staff can start applying for grants to repair the bridge and get it open again to the public.

